

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, JANUARY 8, 2024

The Board of County Commissioners of Weld County, Colorado, met in regular session in full conformity with the laws of the State of Colorado at the regular place of meeting in the Weld County Administration Building, Greeley, Colorado, January 8, 2024, at the hour of 9:00 a.m.

ROLL CALL: The meeting was called to order by the Chair and on roll call the following members were present, constituting a quorum of the members thereof:

Commissioner Kevin D. Ross, Chair
Commissioner Perry L. Buck, Pro-Tem
Commissioner Mike Freeman
Commissioner Scott K. James
Commissioner Lori Saine

Also present:

County Attorney, Bruce Barker
Acting Clerk to the Board, Houston Aragon
Controller, Chris D'Ovidio

READ ORDINANCE BY AUDIO: Commissioner James moved to read Code Ordinance #2024-02 by audio. The motion was seconded by Commissioner Buck, and it carried unanimously.

AMENDMENTS TO AGENDA: There were no amendments to the Agenda.

CONSENT AGENDA: Chair Ross opened up for public comment regarding various partial vacations of Recorded Exemptions, indicated as Items #1, #2, and #3, on the Consent Agenda; however, there was no public testimony offered concerning these matters. Commissioner James moved to approve the Consent Agenda, as printed. Commissioner Buck seconded the motion and it carried unanimously.

WARRANTS:

1) GENERAL WARRANTS – JANUARY 3, AND 5, 2024: Commissioner Buck moved to approve the General Warrants, as printed. Commissioner Freeman seconded the motion and it carried unanimously.

2) COMMISSIONER WARRANTS (KEVIN D. ROSS) – JANUARY 5, 2024: Commissioner Buck moved to approve the Warrants, as printed. Commissioner James seconded the motion, and upon a roll call vote, the motion carried four (4) to zero (0), with Commissioner Ross recused.

BIDS:

1) PRESENT BID #B2300209, AERIAL IMAGERY – DEPARTMENT OF INFORMATION TECHNOLOGY: Ryan Rose, Director of the Department of Information Technology, stated four (4) bids were received and the County Assessor and staff will make a recommendation on January 22, 2024.

NEW BUSINESS:

1) CONSIDER TEMPORARY CLOSURE OF CR 54 BETWEEN CRS 13 AND 15: Clay Kimmi, Department of Public Works, requested this closure on behalf Kraemer North America, LLC (NA), who will begin work on January 22, 2024, through August 30, 2024, for the replacement of Bridge 54/13A, over the Big Thompson River. He stated they have coordinated the closure with Larimer County, described the detour route for the record, and indicated this closure was also coordinated with the landowner, who will continue to have access throughout the closure. Commissioner Freeman moved to approve said temporary closure. The motion was seconded by Commissioner Buck and it carried unanimously.

2) CONSIDER TEMPORARY CLOSURE OF CR 41 BETWEEN CRS 50.5 AND 52: Kevin Hettinger, Department of Public Works, stated this closure will begin on January 22, 2024, and go through April 30, 2024, for the replacement of Bridge 41/50.5A. Commissioner James moved to approve said temporary closure. The motion was seconded by Commissioner Buck and it carried unanimously.

3) CONSIDER ACCEPTANCE OF PROPERTY TRANSFER (0 CR 17, FORT LUPTON, COLORADO): Bruce Barker, Weld County County Attorney, stated this is the formal acceptance of the transfer of said property, the deed was signed on August 21, 2023, and it was recorded on September 21, 2023, in the records of the Weld County Clerk and Recorder. Commissioner Freeman moved to approve and accept said property transfer. The motion was seconded by Commissioner Buck, and it carried unanimously.

4) CONSIDER APPOINTMENT OF ELIZABETH RELFORD AS INTERIM DIRECTOR OF WELD COUNTY DEPARTMENT OF PLANNING SERVICES: Commissioner James moved to approve said appointment. The motion was seconded by Commissioner Freeman and it passed four (4) to one (1), with Commissioner Saine opposed. *(Clerk's Note: Chair Ross did not complete a roll call vote on record, but clarified the votes verbally.)*

5) FINAL READING OF CODE ORDINANCE #2023-15, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 2 ADMINISTRATION OF THE WELD COUNTY CODE (*PLANNING AND ZONING MATTERS, HEARINGS, AND ADDRESSING*): Commissioner James moved to read Code Ordinance #2023-15 by title only. The motion was seconded by Commissioner Buck and it carried unanimously. Mr. Barker read the title for the record and further stated there were no changes since Second Reading. There was no public testimony offered concerning this matter. Commissioner James moved to approve Code Ordinance #2023-15 on Final Reading. The motion was seconded by Commissioner Freeman, and upon a roll call vote of four (4) to one (1), the motion passed with Commissioner Saine being opposed.

6) FINAL READING OF CODE ORDINANCE #2023-16, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 8 PUBLIC WORKS OF THE WELD COUNTY CODE: Commissioner Freeman moved to read Code Ordinance #2023-16 by title only. The motion was seconded by Commissioner Buck and it carried unanimously. Mr. Barker read the title for the record. Curtis Hall, Director of the Department of Public Works, provided a brief overview of the proposed changes to Chapter 8, and stated letters were subsequently received from AGPROfessionals. He explained their letter prompted a meeting and changes were incorporated concerning documentation required of permit holders. Secondly, there was a change in Section 8-14-30.D, Emergency Access, to clarify the changes are not intended to provide a primary access and could be exempted from minimum spacing criteria, but would require signing and/or some kind of gating, which AGPROfessionals were agreeable to. He commended staff for their efforts and collaboration on updating and streamlining processes to reflect how business is operating, and he specifically commended Elizabeth Relford, Deputy Director of the Department of Public Works, and Dawn Anderson, Department of Planning Services, for spearheading this massive overhaul. In response to Commissioner Saine, Mr. Hall confirmed there was

not another work session after their meeting with AGPROfessionals. Chair Ross thanked staff for reaching out to community members to get their input during this process. Commissioner James moved to approve Code Ordinance #2023-16 on Final Reading. The motion was seconded by Commissioner Freeman, and upon a roll call vote, the motion carried four (4) to one (1), with Commissioner Saine opposed.

PLANNING:

1) FIRST READING OF CODE ORDINANCE #2024-02, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 19 COORDINATED PLANNING AGREEMENTS OF THE WELD COUNTY CODE (*AMENDMENTS TO APPENDIX 19-G – EATON AND APPENDIX 19-I – KERSEY*): Commissioner Saine moved to separate this Ordinance into two (2) separate matters; however, the motion was not seconded and it failed. Jim Flesher, Department of Planning Services, explained the Town of Eaton requested the County update the Code to reflect the map adopted in 1999, through Ordinance #212, to reflect urban growth. He indicated there was a minor amendment, in 2004, to renew the Coordinated Planning Agreement (CPA) automatically and allow small changes to the map. He further explained the removal of Appendix 19-I, which was the map for the CPA for the Town of Kersey. Mr. Flesher stated removal of the map is minor clean up, since the amendment, in 2016, no longer referred to a map. Scott Moser, Mayor of the Town of Eaton, expressed his support of the map that was adopted, in 2019, and stated he is excited to work with the County to complete the CPA update. Commissioner Saine indicated her surprise by the Town of Kersey map change and expressed her concerns with the Town of Eaton map, stating it will set a negative precedent to require the expectation of denying urban development. Commissioner Freeman stated there is no change to the CPA, as this reflects only a request to record the map that was submitted in 2019. He further moved to approve Code Ordinance #2024-02 on First Reading. The motion was seconded by Commissioner Buck. Commissioner Saine clarified she would not have any concerns if approval of this Ordinance was only regarding the map. There was no further discussion. Upon a roll call vote, the motion carried four (4) to one (1), with Commissioner Saine being opposed.

PUBLIC COMMENT: No public comment was offered.

RESOLUTIONS AND ORDINANCES: The Resolutions were presented and signed as listed on the Consent Agenda. Code Ordinances #2023-15 and #2023-16 were approved on Final Reading, and Code Ordinance #2024-02 was approved on First Reading.

Let the minutes reflect that the above and foregoing actions were attested to and respectfully submitted by the Clerk to the Board. There being no further business, this meeting was adjourned at 9:19 a.m.

These Minutes were approved on the 22nd day of January, 2024.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST: _____ (AYE)
Kevin D. Ross, Chair

Weld County Clerk to the Board

Perry L. Buck, Pro-Tem (AYE)

BY: _____ (AYE)
Deputy Clerk to the Board
Mike Freeman

EXCUSED

Scott K. James

Lori Saine (NAY)